

By: Phillips

H.B. No. 1210

A BILL TO BE ENTITLED

AN ACT

relating to passenger security screening.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 23.002(a), Transportation Code, is amended to read as follows:

(a) The governing body may commission an employee of an airport security force established under this chapter as a peace officer, subject to Subchapter G, Chapter 1701, Occupations ~~[Subchapter C, Chapter 415, Government]~~ Code, if the employee gives an oath and a bond for the faithful performance of the employee's duties as required by the governing body.

SECTION 2. Chapter 23, Transportation Code, is amended by adding Sections 23.004 and 23.005 to read as follows:

Sec. 23.004. ANALYSIS AND REPORT REGARDING PASSENGER SECURITY SCREENINGS. (a) In this section, "airport operator" means:

(1) a local government that owns or controls an airport; or

(2) a person who operates, as the agent of a local government or otherwise, an airport owned or controlled by the local government.

(b) An airport operator shall establish a program to collect complaints received by the operator regarding passenger security screenings. Complaints collected under this section are

1 confidential and not subject to disclosure under Chapter 552,
2 Government Code.

3 (c) Not later than October 1 of each year, and in a manner
4 prescribed by the director of Texas homeland security, an airport
5 operator shall submit to the executive director of the Texas
6 Department of Transportation and the director of Texas homeland
7 security an analysis of complaints regarding passenger security
8 screenings received during the most recent state fiscal year. The
9 analysis must identify the general categories of complaints
10 regarding passenger security screenings and provide trend data on
11 the frequency of those complaints. The analysis may not contain any
12 personal passenger information that would compromise a passenger's
13 privacy or safety.

14 (d) Not later than December 1 of each year, the director of
15 Texas homeland security shall submit a report to the congressional
16 delegation of this state. The report must provide an analysis of
17 complaints regarding passenger security screenings in this state
18 and make recommendations regarding ways in which to conduct
19 effective passenger security screenings while minimizing
20 unnecessary impositions on airline travelers' time and privacy.

21 (e) This section expires January 1, 2023.

22 Sec. 23.005. SCREENING PARTNERSHIP PROGRAM. (a) In this
23 section, "airport operator" has the meaning assigned by Section
24 23.004.

25 (b) Not later than January 1, 2018, an airport operator
26 shall apply to the Under Secretary of Transportation for Security
27 under 49 U.S.C. Section 44920 to participate in the security

1 screening opt-out program.

2 (c) The airport operator shall submit the following
3 information to the executive director of the Texas Department of
4 Transportation and the director of Texas homeland security:

5 (1) not later than the 30th day after the date an
6 application was submitted under Subsection (b), a letter confirming
7 the submission of an application;

8 (2) not later than the 30th day after receiving the
9 notice, a copy of the notice of the disposition of the application;
10 and

11 (3) not later than January 31, 2023, a written
12 statement regarding any failure to receive a notice of the
13 disposition of the application.

14 (d) This section expires August 31, 2023.

15 SECTION 3. As soon as practicable after the effective date
16 of this Act, the director of Texas homeland security shall
17 prescribe procedures to implement the change in law made by Section
18 23.004, Transportation Code, as added by this Act.

19 SECTION 4. (a) Sections 23.004(c) and (d), Transportation
20 Code, as added by this Act, take effect January 1, 2018.

21 (b) Except as otherwise provided by Subsection (a) of this
22 section, this Act takes effect September 1, 2017.